

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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Chapter 11

In re:

**26 BOWERY LLC and  
2 BOWERY HOLDING LLC,**

Case No.: 22-10412 (MG) and  
22-10413 (MG)  
(Jointly Administered)

Debtors.

-----X

**STIPULATION RESOLVING  
OBJECTION TO CLAIMS FILED BY NEW YORK CITY**

WHEREAS, on March 31, 2022, 26 Bowery LLC ("26 Bowery") and 2 Bowery Holding LLC ("2 Bowery," and together with 26 Bowery, "Debtors") each filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code;

WHEREAS, on July 29, 2022, the Court entered the Order Establishing Deadline for Filing Proofs of Claim Against the Debtors and Approving the Form and Manner of Notice Thereof ("Bar Date Order"). The Bar Date Order established September 27, 2022 (the "Government Bar Date") as the deadline for governmental units to file proofs of claim against the Debtors;

WHEREAS, the New York City Department of Finance ("NYC DOF") timely filed the following claims: (i) proof of claim no. 8 filed on September 27, 2022 against 26 Bowery in its chapter 11 case ("26 Bowery Claim") and (ii) proof of claim no. 7 filed on September 27, 2022 against 2 Bowery ("2 Bowery Claim," and together with the 26 Bowery Claim, the "NYC Claims"). Copies of the NYC Claims are attached as **Exhibit A**;

WHEREAS, on April 1, 2025, the Debtors filed an objection to the NYC Claims (ECF 523) (the “NYC Claims Objection”) on the basis that the NYC Claims were filed with insufficient documentation;

WHEREAS, the Debtors and NYC DOF through their respective counsel have agreed to resolve the NYC Claims Objection and NYC Claims.

NOW, THEREFORE, it is hereby STIPULATED and AGREED between the Debtors and NYC DOF as follows:

1. The 26 Bowery Claim shall be an allowed priority claim pursuant to 11 U.S.C. 507(a)(8) in the amount of \$6,970.11.
2. The 2 Bowery Claim shall be an allowed priority claim pursuant to 11 U.S.C. 507(a)(8) in the amount of \$8,140.89.
3. The NYC Claims shall be paid pursuant to the Joint Plan of Reorganization Proposed by 26 Bowery LLC, 2 Bowery Holding LLC, and Double Bowery Funding LLC.
4. The Debtors and NYC DOF agree that this stipulation may be executed in counterparts, each of which shall be deemed to be an original but all of which together will constitute one and the same instrument. The Debtors and NYC DOF further agree that electronic copies of signatures transmitted by email shall be deemed to be an original signature.
5. Notwithstanding any term in the stipulation to the contrary, the Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this stipulation.

Dated: New York, New York  
April 28, 2025

LEECH TISHMAN  
ROBINSON BROG, PLLC  
875 Third Avenue, 9<sup>th</sup> Floor  
New York, NY 10022  
(212) 603-6300

NYC LAW DEPARTMENT  
100 Church Street  
New York, NY 10007  
(212) 356-2162

By: /s/ Clement Yee  
Clement Yee, Esq.  
*Counsel for the Debtors*

By: /s/ Bernadette Brennan  
Bernadette Brennan, Esq.  
*Senior Counsel*

So Ordered:

May 2, 2025

/s/Martin Glenn  
The Honorable Martin Glenn  
Chief United States Bankruptcy Judge

**Exhibit A**

FILED  
U.S. BANKRUPTCY COURT  
2022 SEP 27 P 3:03  
S.D.N.Y.

Fill in this information to identify the case:

Debtor 1 2 Bowery Holding LLC  
Debtor 2 \_\_\_\_\_  
(Spouse, if filing)  
United States Bankruptcy Court for the: Southern District of New York  
Case number 22 - 10413

## Official Form 410

### Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

#### Part 1: Identify the Claim

1. Who is the current creditor?	<u>New York City Department of Finance</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent?  Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<b>Where should notices to the creditor be sent?</b>  <u>New York City Department of Finance</u> Name <u>375 Pearl Street, 27th Floor</u> Number Street <u>New York</u> <u>NY</u> <u>10038</u> City State ZIP Code Contact phone <u>(212)-748-4329</u> Contact email <u>leungc@finance.nyc.gov</u>	<b>Where should payments to the creditor be sent? (if different)</b>  Name _____ Number Street _____ City State ZIP Code _____ Contact phone _____ Contact email _____
Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____		
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor? ☒ No  
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_\_

7. How much is the claim? \$ 9,765.89 Does this amount include interest or other charges?  
☐ No  
☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
Limit disclosing information that is entitled to privacy, such as health care information.  
Business Taxes

9. Is all or part of the claim secured? ☒ No  
☐ Yes. The claim is secured by a lien on property.  
**Nature of property:**  
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
☐ Motor vehicle  
☐ Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
☐ Fixed  
☐ Variable

10. Is this claim based on a lease? ☒ No  
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff? ☒ No  
☐ Yes. Identify the property: \_\_\_\_\_

**12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ No

☒ Yes. Check one:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$2,850\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$12,850\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☒ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.

**Amount entitled to priority**

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ 9,765.90

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 09/26/2022  
MM / DD / YYYY

Catherine Leung  
Signature

*Catherine Leung*

Print the name of the person who is completing and signing this claim:

Name Catherine Leung  
First name Middle name Last name

Title Supervisor-Bankruptcy

Company New York City Department of Finance  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 375 Pearl Street 27th Floor  
Number Street  
New York NY 10038  
City State ZIP Code

Contact phone (212)-748-4329 Email leungc@finance.nyc.gov

FILED  
U.S. BANKRUPTCY COURT  
2022 SEP 27 P 3:05  
S.D.N.Y.

Fill in this information to identify the case:

Debtor 1 26 Bowery LLC  
Debtor 2 \_\_\_\_\_  
(Spouse, if filing)  
United States Bankruptcy Court for the: Southern District of New York  
Case number 22 - 10412

## Official Form 410

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04/16

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1. Who is the current creditor?	<u>New York City Department of Finance</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
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**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor? ☒ No  
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_\_

7. How much is the claim? \$ 8,345.11 Does this amount include interest or other charges?  
☐ No  
☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
Limit disclosing information that is entitled to privacy, such as health care information.  
Business Taxes

9. Is all or part of the claim secured? ☒ No  
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**Nature of property:**  
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☐ Other. Describe: \_\_\_\_\_  
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**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
☐ Fixed  
☐ Variable

10. Is this claim based on a lease? ☒ No  
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11. Is this claim subject to a right of setoff? ☒ No  
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☐ No

☒ Yes. Check one:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$2,850\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

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☒ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.

Amount entitled to priority

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ 8,345.11

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

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Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 09/27/2022

MM / DD / YYYY

Catherine Leung

Signature

Print the name of the person who is completing and signing this claim:

Name Catherine Leung  
First name Middle name Last name

Title Supervisor-Bankruptcy

Company New York City Department of Finance  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 375 Pearl Street 27th Floor  
Number Street

New York NY 10038  
City State ZIP Code

Contact phone (212)-748-4329 Email leungc@finance.nyc.gov